

UNITED STATES DISTRICT COURT

FILED

JAN 17 2019

for the
Eastern District of Missouri

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

Case No. 4:19 MJ 38 (DDN)

In the Matter of the Search of)

3845 Donald, Arnold, Missouri, 63010, is described as a single)
story family residence comprised of brick and mortar. The front)
door of the residence is white in color with glass in the middle of the)
door, and the numbers "3845" are affixed to a front of the house.)

APPLICATION FOR A SEARCH WARRANT

I, PATRICK WELCH, a federal law enforcement officer or an attorney for the government request a search warrant and state under penalty of perjury that I have reason to believe that on the following property:

3845 Donald, Arnold, MO 63010 (as fully described above),

located in the EASTERN District of MISSOURI, there will be concealed following the fulfillment of the contingency set forth in the affidavit, the following:

see attached LIST.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

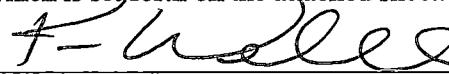
Title 21, U.S.C., §§ 846, 841(a)(1)

Conspiracy to possess with intent to distribute controlled substance(s)

The application is based on these facts:

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED HEREIN BY REFERENCE.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

PATRICK WELCH, Task Force Officer
Drug Enforcement Administration

Printed name and title



Judge's signature

Hon. David D. Noce, U.S. Magistrate Judge

Printed name and title

AUSA: STEPHEN CASEY

Sworn to before me and signed in my presence.

Date: January 17, 2019

City and State: St. Louis, MO

JAN 17 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Patrick Welch, Task Force Officer of the Drug Enforcement Administration,
being duly sworn, depose and state that:

INTRODUCTION

I am a deputized Task Force Officer of the Drug Enforcement Administration (DEA) of the United States Department of Justice, and, as such, am an investigative or law enforcement officer of the United States, within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. I have been a Task Force Officer with the DEA since November 2015. Along with my DEA Task Force assignment, I am a sworn police officer with the St. Louis Metropolitan Police Department since January 2006.

During my assignment with the DEA, I have been involved in investigations resulting in numerous arrests and seizures of controlled substances, the identification and seizure of the proceeds of narcotics trafficking organizations as well as the tracing of the conversion of such proceeds into other assets and funds. I have also communicated extensively with other state and federal law enforcement personnel, who specialized in narcotics and money laundering investigations. I have also had experience in debriefing informants and other persons with personal experience and knowledge of the amassing, spending, converting, transporting, distributing and concealing the proceeds of drug trafficking. I have also received training by St. Louis Metropolitan Police Department and DEA in the investigation of controlled substances crimes in support of narcotics distribution efforts.

The information in this affidavit is either known to me or has been furnished to me, Special Agents, or Task Force Officers of the DEA, other officers of local and state law enforcement organizations, information provided by reliable informants, information from witness interviews or from the review of records and documents.

Since this affidavit is being submitted for the limited purpose of securing authorization for an anticipatory search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish the foundation for an order authorizing the search warrant.

LOCATION TO BE SEARCHED

This affidavit in support of an anticipatory search warrant for the following location:

3845 Donald, Arnold, Missouri 63010, more fully described as a single story family residence comprised of brick and mortar. The front door of the residence is white in color with glass in the middle of the door, and the numbers "3845" are affixed to a front of the house.

PROBABLE CAUSE

On January 17, 2019, I received information from Detectives Dawain Wallace and Michael Cohen of the St. Louis Metropolitan Police Department, currently assigned to the Drug Enforcement and Intervention Unit (DEI), that they intercepted a package while working interdiction activities at the UPS Facility located at 520 South Jefferson, Saint Louis Missouri, 63103. Both Detectives Wallace and Cohen are currently deputized by the Drug Enforcement Administration.

As UPS employees off-load the trailer of overnight deliveries, DEI detectives look at packages and their state of origin. Detectives are looking for packages from States with a history of being "source states." Source states are those close to the U.S./Mexican

border where high quantities of drug smuggling is more prevalent; or states that have legalized substances that are still illegal in Missouri. Detectives also look for boxes that appear to have excessive tape along the seams and packaging material used to conceal the scent of illegal narcotics.

On January 17, 2019, Detectives Wallace and Cohen identified a package (target package) that appeared suspicious. The target package is described as a brown cardboard box measuring eight (8) inches by eight (8) inches by eight (8) inches weighing five (5) pounds and bearing UPS tracking number IZ 72Y 87501329 15229. The target package has strips of tape along the seams and the seams also appear to be glued shut. It should be noted, I, and other members of DEI have intercepted numerous packages that contained narcotics that have had the seams glued shut.

The target package originated from Moreno Valley, CA., a supply city for illegal narcotics, to St. Louis, MO, a user city for illegal narcotics. The package is addressed to Susan Gregory at 3845 Donald Ave., Arnold, MO, 63010, with the sender listed as S & S Auto from 23410 Sunnymead Blvd, Moreno Valley, CA 92553. A return phone number of (909) 200-9523 was listed on the shipping label. A database search revealed that phone number to be associated with a person and not a business named "S & S Auto." A database search revealed 23410 Sunnymead Blvd, Moreno Valley, CA 92553, to be an invalid address and there to be no such business called "S & S Auto" in Moreno Valley, CA.

A database search on **3845 Donald, Arnold, MO 63010** revealed a valid address; however, no person named "Susan Gregory" has ever existed at that address. A receiver

phone number of (314) 685-4263 was listed on the shipping label. A database search revealed that phone number to be associated with a person other than "Susan Gregory."

The target package was placed outside the facility along with several other packages. Canine Officer James Siebum, DSN 3383, and his narcotic Canine "Leo" responded to assist with the investigation. Officer Siebum walked "Leo" down the line of packages at which time "Leo" sat on his hind legs and faced the target package indicating suspected narcotics were possibly contained within. "Leo" did not react to any of the other packages in the line. Officer Sebum then walked "Leo" down the line a second time and once again "Leo" hit on the target package and no others. Canine "Leo" is a certified and accredited Narcotic Detection Canine team

As part of my investigation, I also received information from Micah Nelson from the Jefferson County Sheriff's Department that the address where the target package was to be delivered is occupied by a subject by the name of Anthony Whiteaker. Sheriff Nelson told me that he had knowledge of Whiteaker receiving additional packages from California via UPS. A computer inquiry of Whiteaker revealed arrests for Assault, Possession of a Controlled Substance, Possession of Drug Paraphernalia, Passing Bad Checks, and Felony Resisting Arrest. Whiteaker also has an arrest with DEA for Distribution of Marijuana.

After the above investigation was conducted, Detective Wallace applied for and was granted a state search warrant for the target package. The state search warrant was signed by the Honorable Judge Elizabeth Hogan of the 22nd Circuit Court in the State of Missouri, on January 17, 2019.

Detectives Wallace and Cohen then opened the package and observed a clear plastic freezer bag containing a white crystal like substance, which was placed inside another clear plastic freezer bag. Based on the training and experience of the investigative team, the substance appeared to be methamphetamine. The substance was field tested by TFO Andy Vineyard and TFO Bryan Thomas of the DEA St. Louis Office and tested positive for methamphetamine. The approximate weight of the methamphetamine was 4.9 pounds.

REQUEST FOR ANTICIPATORY SEARCH WARRANT

Law enforcement officers intend to make a controlled delivery of the target package to **3845 Donald, Arnold, MO 63010** (the target address). For reasons detailed herein, I am seeking an anticipatory search warrant to be executed only contingent upon the conditions of a successful delivery of the target package. Prior to the controlled delivery, all but 2 grams of methamphetamine will be removed from the target package. Agents will replace the removed methamphetamine with a look-a-like or 'sham' substance. Further, the target package will be rewrapped to give the appearance that it has not been opened.

In light of my previous experiences of making similar controlled deliveries and those of the investigative team assisting me in this investigation, I know that the target package will likely be opened shortly after it is delivered. In light of this circumstance, there will likely be practical difficulties in obtaining a search warrant for the residence in a timely fashion before the evidence in the target package is removed from the premises and/or destroyed. Therefore, I request that a search warrant for the premises known and

described as **3845 Donald, Arnold, Missouri 63010** be issued today with its execution contingent upon fulfillment of the following procedure:

- a. On or about January 17, 2019, and in the event the delivery is unsuccessful on succeeding dates thereafter within the time period authorized, I or another law enforcement agent, wearing a UPS uniform, will attempt to deliver the aforementioned package to **3845 Donald, Arnold, Missouri 63010**;
- b. Delivery will be made only to an adult willing to accept delivery. In no event will the package be delivered to a child;
- c. Once the delivery has been made, the agents will execute the search warrant within the time period authorized; and
- d. The warrant will be executed only on **3845 Donald, Arnold, Missouri 63010** only if and after the target package is accepted at or near the vicinity of the **target address** and crosses the threshold of the residence.

Based upon my and the investigating team's experience and our participation in other investigations involving similar amounts of drugs, I know that the drugs involved in this seizure have a wholesale value in excess of \$175,000. I know that drugs of this quantity and value are intended for distribution; and

- a. Persons who distribute this quantity and value commonly keep records relating to the transportation, order, purchasing, and distribution of controlled substances; and
- b. That narcotics traffickers who handle narcotics of this value and quantity must maintain on hand large amounts of U.S. currency in order to maintain and finance their on-going narcotics business and often keep said currency in a residence; and

- c. That persons who receive drugs through overnight parcels often have done so in the past and are prepared to do so in the future and keep mailing labels both used and unused; and
- d. That persons who distribute narcotics of this quantity and value keep paraphernalia for packaging, cutting, weighing, and distribution of drugs. That these paraphernalia include, but are not limited to scales, plastic bags, and cutting agents; and
- e. That evidence of occupancy, residency, rental and/or ownership of the premises is relevant to the prosecution of the offenses which this affidavit establishes.

I have been a Task Force Officer with the DEA for approximately four (4) years, and based upon my experience and that of the investigative team in narcotics investigations during this time, it is my belief that in light of the information learned in the investigation, **3845 Donald, Arnold, Missouri 63010** is being used as a location to receive, store, and/or distribute methamphetamine. Accordingly, your affiant respectfully requests that an anticipatory search warrant, execution of which is contingent upon fulfillment of the conditions described herein, be issued authorizing any law enforcement officer to search the premises known and described as **3845 Donald, Arnold, Missouri 63010** and therein seize items incorporated in the attached "list" which constitute evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 846, and fruits thereof.

[Intentionally Left Blank]

Because this investigation is ongoing and its success would be jeopardized if the contents of this affidavit were made public, Inspectors request that this affidavit be sealed until further order of the Court.


Patrick Welch – Task Force Officer DEA

Dated this 17th day of January, 2019.

Sworn to and subscribed before me this 17th day of January, 2019.


DAVID D. NOCE
UNITED STATES MAGISTRATE JUDGE
Eastern District of Missouri

LIST

1. Controlled Substance(s);
2. The Target Package;
3. Paraphernalia for packaging, cutting, weighing and distributing controlled substances, including but not limited to scales, baggies and heat sealers;
4. Books, records, receipts, notes, ledgers, computer hard-drives and disk records, and other papers relating to the transportation, ordering, purchasing and distribution of controlled substances and/or firearms;
5. Telephone bills, invoices, packaging, cellular batteries and/or charging devices, cancelled checks or receipts for telephone purchase/service; cellular and/or landline telephones; digital and/or alphanumeric text (two-way) pagers; computers capable of e-mail and/or chat-room communication, answering machines; address and/or telephone books and papers reflecting names, addresses, and/or telephone numbers of sources of supply, of customers, and/or evidencing association with persons known to traffic in controlled substances or to facilitate such trafficking;
6. Photographs, in particular photographs of co-conspirators, of assets, and/or of controlled substances;
7. United States Currency, precious metals, jewelry, and financial instruments, including but not limited to, stocks and bonds, papers, titles, deeds and other documents reflecting ownership of vehicles and property utilized in the distribution of controlled substances or which are proceeds from the distribution of controlled substances;
8. Books, records, receipts, pay stubs, employment records, bank statements and records, money drafts, letters of credit, money order and cashier's checks receipts, passbooks, bank checks and other items evidencing the obtaining, secreting, transfer and/or concealment of assets and the obtaining, secreting, transfer, concealment and/or expenditure of money;
9. Papers, tickets, notes, schedules, logs, receipts and other items relating to travel, including but not limited to, travel to and from St. Louis, Missouri and elsewhere; and
10. Indicia of occupancy, residency, rental and/or ownership of the vehicles and/or premises described above, including but not limited to, utility and telephone bills, cancelled envelopes, rental or lease agreements and keys.